

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

September 8, 2022

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SEVERANO CEBALLOS MARTINEZ,
a/k/a Juan Mendoza Carlos,

Defendant - Appellant.

No. 22-2080
(D.C. No. 1:21-CR-00597-JB-1)
(D. N.M.)

ORDER

Before **TYMKOVICH**, Chief Circuit Judge.

This matter is before the court as follow up to its August 16, 2022 order appointing the Office of the Federal Public Defender for the District of New Mexico to represent Appellant Sverano Ceballos Martinez for the limited purpose of filing the necessary motion to allow the district court to make a finding as to Appellant's eligibility for appointment of counsel and other services under 18 U.S.C. § 3006A. The district court has granted Appellant's motion for determination of financial eligibility for appointment of counsel under 18 U.S.C. § 3006A. Upon consideration and as set forth below, the court appoints the Office of the Federal Public Defender for the District of New Mexico ("FPD") as new counsel to represent Appellant.

The FPD's contact information is:

Office of the Federal Public Defender
District of New Mexico
111 Lomas Blvd, Suite 501
Albuquerque, NM 87102
Phone: 505-346-2489
Fax: 505-346-2494

Within 10 days from the date of this order, the FPD shall enter an appearance in this appeal on behalf of Appellant.

Because the FPD has been appointed, this appeal will proceed on a designated record on appeal. *See* 10th Cir. R. 10.1. Within 20 days from the date of this order, the FPD shall file: (1) a designation of record, *see* 10th Cir. R. 10.3(A); and (2) a transcript order form or notice that no transcript is necessary, *see* 10th Cir. R. 10.2.

Appellant's opening brief shall be due 40 days from the date the record on appeal is filed in this court. *See* Fed. R. App. P. 31(a)(1); 10th Cir. R. 11.2(A). The Clerk of the U.S. District Court for the District of New Mexico shall wait at least 20 days before transmitting the record on appeal to this court.

The court directs its Clerk to transmit a copy of this order to the Clerk of the U.S. District Court for the District of New Mexico. The FPD is directed to promptly transmit a copy of this order to Appellant.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



By: Candice Manyak
Counsel to the Clerk

UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

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1823 Stout Street
Denver, Colorado 80257
(303) 844-3157
Clerk@ca10.uscourts.gov

Christopher M. Wolpert
Clerk of Court

Jane K. Castro
Chief Deputy Clerk

September 08, 2022

Ms. Margaret Ann Katze
Office of the Federal Public Defender
District of New Mexico
111 Lomas Boulevard, NW, Suite 501
Albuquerque, NM 87102

RE: 22-2080, United States v. Ceballos Martinez
Dist/Ag docket: 1:21-CR-00597-JB-1

Dear Counsel:

You have been appointed as counsel for appellant pursuant to the Criminal Justice Act, 18 U.S.C. 3006A. The order appointing you has been docketed in the above-referenced appeal. If an adverse decision is rendered you must advise your client of the right to seek review of this court's decision by petition for certiorari. If the client requests, and you believe a petition to be legally sound, you must file one with the clerk of the Supreme Court of the United States. *See* Criminal Justice Act Plan, 10th Cir. R., Addendum I.

Please contact this office if you have questions.

Sincerely,



Christopher M. Wolpert
Clerk of Court

cc: Samuel Antonio Hurtado
Emil John Kiehne

CMW/at